

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

AARON SWANK,

Plaintiff,

vs.

Civil Action 2:12-CV-1031
Judge Marbley
Magistrate Judge King

DR. HALE,

Defendant.

INITIAL SCREEN OF THE COMPLAINT

Having performed the initial screen of the *Complaint* required by 28 U.S.C. §§ 1915(e), 1915A, the Court concludes that, at this juncture, the action may proceed on plaintiff's claims of denial of medical care in violation of the Eighth Amendment to the United States Constitution.

Plaintiff has not submitted a Marshal service form. Upon submission of that form, the United States Marshal Service is **INSTRUCTED** to effect service of process on the named defendant, who shall have forty-five days after service of process to respond to the *Complaint*. The Clerk is **DIRECTED** to provide the appropriate form to the plaintiff.

Plaintiff is advised that, should service of process not be effected within 120 days, the action shall be dismissed without prejudice. See Fed. R. Civ. P. 4(m).

s/Norah McCann King
Norah M^cCann King
United States Magistrate Judge

DATE: November 13, 2012

